

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 1 and 2 and replaces the original drawing sheet including the same figures.

Attachment: Replacement sheet.

Remarks

Objection to Drawings

The drawings are objected to because the original drawings did not show every feature of the claimed invention. The missing features were identified as the claimed adjustable cantilever suspension and the transporting device and holding device.

A replacement drawing sheet is attached providing schematic depictions of these features. The suspension is now labeled by reference numeral 8, which has also been inserted into the specification in paragraph [0025]. The adjustable cantilever form of the suspension 8 is now referenced by double-ended arrows 8a, 8b, and 8c, which together indicate the linear and angular directions in which the suspension 8 is adjustable. The specification states in paragraph [0025] and elsewhere that the suspension is carried out in an adjustably cantilevered way in height over the ground, around an axis running parallel to the length of the rope, and around an axis running perpendicular to the length of the rope. The adjustment for height is now referenced in both Fig. 2 and the specification by the double-ended arrow 8a. The adjustment around the axis along the length of the rope is now similarly referenced in both Fig. 2 and the specification by the curled double-ended arrow 8b . The adjustment around the axis perpendicular to

the length of the rope is now referenced in both Fig. 1 and the specification by the curled double-ended arrow 8c .

Claims 9 and 10, which originally recited “a transportation device and a holding device”, now recite --a transportation means--, which has been schematically depicted in both Figs. 1 and 2 as bars 9. The specification has been amended at paragraph [0017] to insert the reference numeral 9 for relating the description to the new schematic depiction. In addition, the recitation of “a transportation device or a holding device” in paragraph [0012] is equated to the claim language of --a transportation means--.

The arrows, bars, and reference numerals added to the drawings do not add any new matter beyond that which would be immediately apparent to one of ordinary skill in the art from the descriptions already given in the specification. In fact, the specification would support even more detailed depictions, but the schematic depictions now presented clearly apprise those of ordinary skill of the fundamental structural intentions of the invention.

Rejection under § 112

Claim 3 stands rejected under 35 USC 112, first paragraph because the original specification was found to lack structural support for the claimed function that the cantilever suspension is adjustable. Although claim 3 has been canceled, the requirement for suspending at least one of the claimed

deflection pulley and driving wheel as an adjustable cantilever has been appended to amended claim 1.

The cantilevered suspensions of both the driving wheel 4 and the deflection pulley 5 are clearly shown in both drawing figures. The intended adjustments of the cantilevered suspension were not originally illustrated but were clearly described in the specification. For example, original paragraph [0025] provides the following description.

The suspension of the driving 4 and deflection 5 wheels is preferably carried out in a cantilevered manner and, in particular, preferably in an adjustable or adjustably cantilevered way. The driving wheels 4 and deflection pulleys 5 at the driving station 1 and/or the return station 2 are preferably adjustable under rope tension both in the height over the ground and around an axis running parallel to the length of the rope and around an axis running perpendicularly to the length of the rope, the latter adjustment preferably being automatically.

The description explains the kinds of adjustments contemplated by the invention. Once explained to a person of skill in the art that such an adjustable cantilevered suspension would be beneficial, the skilled person is sufficiently guided by the description to understand the kinds of adjustments that can be made and would be in a position to implement such an adjustable cantilever suspension without undue experimentation. Adjustments to the

height and orientation of a cantilevered pulley are well within the skill set of ski-lift manufacturers

Rejections under § 102

Claims 1 and 10 are rejected as being anticipated by US Patent No. 2,703,038. Claim 1 has been amended to incorporate the subject matter of canceled claims 2 and 3, rendering the rejection moot with respect to claim 1, and claim 10 depends from amended claim 1. Horton is missing the claimed cantilever suspension.

Claims 1 and 10 are also rejected as being anticipated by US Patent No. 5,224,425 to Remington. The amendment to claim 1 also renders this rejection moot. In addition, Remington is missing any disclosure of a single driving wheel for driving a transportation rope as well as the claimed cantilever suspension.

Claim 1 is rejected as being anticipated by US Patent No. 3,338,180 to Stecker. The amendment to claim 1 also renders this rejection moot. Stecker is also missing the claimed cantilever suspension.

Claim 1 is rejected as being anticipated by US Patent No. 3,810,427 to Peck. The amendment to claim 1 also renders this rejection moot. Peck distinguishes his invention from rope tows and is also missing the claimed cantilever suspension.

Rejections under § 103

Claims 7–9 stand rejected as being obvious over the Horton patent. These claims all depend directly or indirectly from amended claim 1, which incorporates the subject matter of original claims 2 and 3. The claims all require a cantilever suspension, which goes well beyond any issue of dimensioning. Nonetheless, that dimensions requiring the deflection pulley to have a diameter of at least 60 times the diameter of the rope and at least one of the driving wheel and deflection pulley to have a diameter that is at least 1.5 meters set forth the special context of the invention.

Claims 2–6 and 11–15 stand rejected as being obvious over the Horton patent in view of US Patent 674,651 to Macrow et al. or US Patent 2,536,575 to Seldin. This is the only rejection that addresses the claimed adjustable cantilever suspension. The Examiner admits that Horton, who discloses a ski tow, is silent on this point. However, the Examiner found two examples of pulleys supported by cantilevers, although neither of these cantilever pulley suspensions is adjustable as claimed. The Macrow et al. patent, which dates from the turn of the previous century, discloses a complex pulley system for shunting suspended loads having lines working in both horizontal and vertical lifting directions. It is a “new” grip hook that is described in detail. The Seldin patent, which itself is more than fifty years old, discloses a

garment conveyer having an undesirable arrangement of smaller-diameter idler pulleys.

Applicants are not claiming to have invented cantilevered suspensions for pulleys or even adjustable cantilevered suspensions for pulleys. These are well known to those charged with the design and manufacture of ski lifts. Thus, the invention is not about doing something that could not have been done before. Instead, the invention involves a discovery that in a type of transportation device involving (a) at least one driving station and at least one deflection station as well as a transportation rope circulating between the stations, (b) a single driving wheel arranged at the driving station and a single deflection pulley arranged at the deflection station, and (c) the driving wheel and said deflection pulley being arranged substantially vertically, at least one of the deflection pulley and the driving wheel should be suspended through an adjustable cantilever to provide improved operation.

There is nothing in the teaching of Macrow et al. or Seldin that would lead Horton to change his ski tow in a direction that would lead to the claimed invention. Horton would not be surprised to learn that pulleys can be cantilevered, but the knowledge of this possibility does not suggest that his ski tow would be improved by an adjustable cantilever suspension. Moreover, none of the references show the claimed adjustable cantilevered suspension, so the combination itself, regardless even of the propriety of the combination, does not reach the claimed invention.

With regard to the specific rejections of claims 4, 5, 11 and 12 as being obvious in view of Horton, all four of these claims have been canceled.

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In view of the amendments made to the claims, specification and drawings, the application is now believed to be in condition for allowance. Reconsideration and allowance of the remaining claims 1 and 7-10, are respectfully requested. For any questions about the application or this response, the Examiner is invited to contact applicant's representative by telephone at the number listed below.

Respectfully submitted,



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